

### REMARKS

The description has been amended to identify the patent number of the parent application. Claim 3 has been canceled, claim 4 has been rewritten in independent form without being narrowed, and new claim 9 added to particularly point out and distinctly claim subject matter regarded as the invention. Such cancellation of and amendments to claims are only for the purpose of advancing the prosecution of this application and are not to be construed as an abandonment of any of the novel concepts disclosed therein.

New claim 9 is patterned after allowable claim 4 but calling for low pass filtering the moveable element acceleration signal instead of the differential acceleration signal recited in claim 4. In the absence of pertinent prior art, this claim is submitted to be in a condition for allowance.

The allowability of claims 1 and 4-8 is noted.

The courtesy of the Examiner in making a diligent search is acknowledged with appreciation. The references cited but not applied are submitted to be incapable of anticipating, suggesting or making obvious the subject matter as a whole of the invention disclosed and claimed in this application.

In view of the forgoing cancellation, amendments, remarks and the inability of the prior art, alone or in combination, to anticipate, suggest or make obvious the subject matter as a whole of the invention disclosed and claimed in this application, all the claims are submitted to be in a condition for allowance, and notice thereof is respectfully requested. Should the Examiner believe the application is not in a condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at 617-521-7014 to discuss what additional steps the Examiner believes are necessary to place the application in a condition for allowance.

Applicant : Robert L. Maresca et al.  
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Enclosed is a \$200 check for excess claim fees. Please apply any other charges or credits to deposit account 06-1050, Order No. 02103-310002.

Respectfully submitted,  
FISH & RICHARDSON P.C.

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Date: \_\_\_\_\_



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